

In re:

Keith T. Caldwell

Debtor

Chapter 13

Case Number 19-12185-JEB

Honorable Janet E Bostwick

**STIPULATION**

Stipulation entered into February 28, 2020 by and between Specialized Loan Servicing, LLC and Keith T. Caldwell (“Debtor”) (collectively, the “Parties”).

WHEREAS, Specialized Loan Servicing, LLC is the holder of the Note and Mortgage on real property located at 10 Keith Drive, Attleboro, MA 02703.

WHEREAS, on November 25, 2019, Specialized Loan Servicing, LLC filed a motion in the above-captioned bankruptcy case requesting relief from the automatic stay as to the real property at 10 Keith Drive, Attleboro, MA 02703.

WHEREAS, the parties here to have reached a compromise regarding the above described controversy.

NOW, THEREFORE, the parties hereto, by their respective attorneys, hereunto duly authorized, do hereby stipulate and agree:

1. The Debtor is post-petition due December 1, 2019 to February 1, 2020 for payments of \$2,138.07 each for a total of \$6,414.21, less a post-petition suspense balance of \$387.26. Therefore, the total amount of post-petition arrears is \$6,026.95. The Debtor agrees to cure the total amount of post-petition arrears by making the following payments:

<b>March 15, 2020</b>	<b>\$1,004.50</b>
<b>April 15, 2020</b>	<b>\$1,004.49</b>
<b>May 15, 2020</b>	<b>\$1,004.49</b>
<b>June 15, 2020</b>	<b>\$1,004.49</b>
<b>July 15, 2020</b>	<b>\$1,004.49</b>
<b>August 15, 2020</b>	<b>\$1,004.49</b>

The payments shall be in the form of good funds (bank check, certified funds, or a check drawn on Debtor's counsel's clients' trust fund account) and shall be made payable to Specialized Loan Servicing, LLC and sent directly to Specialized Loan Servicing, LLC at P.O. Box 636007, Littleton, CO 80163 with the loan number written on the check. Payment will be considered made on such dates if the funds are received by Specialized Loan Servicing, LLC by the close of business on those dates.

2. Starting with the payment date March 1, 2020 through August 1, 2020, Debtor in addition to the payments required by paragraph 1 herein, shall timely make the regular monthly payments directly to Specialized Loan Servicing, LLC as required by the Note and Mortgage.

3. Please note that upon Debtor's failure to make either a regular monthly payment under paragraph 2 or any payment under paragraph 1, Specialized Loan Servicing, LLC or its attorney shall give written notice to the debtors and their counsel, of such failure to make timely payments pursuant to the stipulation and further advise that failure to make said payments within Seven Days after the date of such notice shall constitute a default under this stipulation.

4. **IF THE DEBTOR DEFAULTS UNDER THIS STIPULATION OR FAILS TO COMPLY WITH ANY OF THE TERMS STATED HEREIN, SPECIALIZED LOAN SERVICING, LLC OR ITS ATTORNEY WILL FILE A NOTICE OF DEBTOR NON-COMPLIANCE WITH THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MASSACHUSETTS AND THEREAFTER, THE COURT MAY ENTER AN ORDER GRANTING SPECIALIZED LOAN SERVICING, LLC AND ITS SUCCESSORS AND ASSIGNS, RELIEF FROM THE AUTOMATIC STAY AS TO THE REAL PROPERTY AT 10 KEITH DRIVE, ATTLEBORO, MA 02703. SPECIALIZED LOAN SERVICING, LLC AND ITS SUCCESSORS AND ASSIGNS WILL THEN BE FREE TO EXERCISE ITS RIGHTS PURSUANT TO THE NOTE AND MORTGAGE IN ACCORDANCE WITH APPLICABLE STATE AND FEDERAL LAW AND TO**

**CONDUCT A FORECLOSURE SALE OF THE PROPERTY AND SUBSEQUENT  
EVICTION ACTION, IF NECESSARY.<sup>1</sup>**

5. No waiver by Specialized Loan Servicing, LLC of any default shall operate as a waiver of any other default or of the same default on a future occasion.

6. This Stipulation and the terms contained herein shall become void and unenforceable by either party in the event that the Debtor's bankruptcy petition is converted to any other Chapter or dismissed for any reason or as a result of the motion of any party, including, but not limited to the Debtor.

/s/ Tatyana P. Tabachnik

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<sup>1</sup> "Bold" and "All-Caps" per MLBR 13-16-2 (c).